

**Assembly Bill No. 640**

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Passed the Assembly    September 9, 1997

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*Chief Clerk of the Assembly*

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Passed the Senate    August 29, 1997

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_ day  
of \_\_\_\_\_, 1997, at \_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_

An act to add and repeal Section 46101 of, and to add and repeal Part 26.4 (commencing with Section 46800) of, the Education Code, and to add and repeal Article 18.9 (commencing with Section 749.5) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to juveniles.

## LEGISLATIVE COUNSEL'S DIGEST

AB 640, Aguiar. High school academies: Juvenile Crime Reduction and Education Academy Pilot Project.

(1) Existing law authorizes county superintendents of schools, with the approval of the county board of education and board of supervisors, to establish and maintain classes or schools for prisoners in any county jail, county honor farm, or any county industrial farm or county or joint county road camp. Existing law provides for the issuance of diplomas or certificates by, and the provision of funding for, these classes or schools.

This bill would authorize the county superintendent of schools, with the approval of the county board of education and board of supervisors, to establish and maintain classes or schools for at-risk pupils, as defined, in any high school academy in San Bernardino County. The bill would define a high school academy to mean a school, not located within a correctional facility, that is established to service at-risk pupils. The bill would authorize the issuance of diplomas or certificates by high school academies and would provide for the funding of high school academies, as specified.

The bill would make these provisions inoperative on July 1, 2000, and would provide for their repeal on January 1, 2001.

(2) Existing law sets forth the powers and duties of the Board of Corrections, the Department of the Youth Authority, the juvenile courts, and local law enforcement authorities, including county sheriffs and probation officers.



This bill would authorize the San Bernardino County Sheriff's Department, in conjunction with certain city and county officers and agencies, and other interested organizations, to conduct a pilot project to be known as the Juvenile Crime Reduction and Education Academy Pilot Project, for the purpose of reducing juvenile crime and delinquency, as described.

This bill would provide that the pilot project shall operate for one year from the date of the first instructional day. The bill would provide for the pilot project to be evaluated through an independent assessment conducted as specified. The bill would specify the goals that must be equaled or exceeded for the pilot project to be deemed successful.

This bill would make these provisions inoperative on July 1, 2000, and would provide for their repeal on January 1, 2001.

*The people of the State of California do enact as follows:*

SECTION 1. Section 46101 is added to the Education Code, to read:

46101. (a) Notwithstanding any other provision of law, a high school academy, as defined in Section 47650, may operate on the basis of an extended instructional day of up to 11 hours in duration, provided that at least two meals are made available to each pupil during that extended instructional day.

(b) This section shall become inoperative on July 1, 2000, and, as of January 1, 2001, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2001, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Part 26.4 (commencing with Section 46800) is added to the Education Code, to read:

PART 26.4. HIGH SCHOOL ACADEMIES FOR  
AT-RISK PUPILS

46800. (a) In the County of San Bernardino the county superintendent of schools, with the approval of the county board of education and the board of supervisors, may establish and maintain classes or schools for at-risk pupils in any high school academy for the purpose of providing instruction in civic, vocational, literacy, health, homemaking, technical, and general education.

(b) For the purposes of this article:

(1) “At-risk pupil” means either of the following:

(A) A pupil who has been declared a ward of the juvenile court for the first time or is to be supervised by a probation department.

(B) A pupil who has been evaluated and identified as having at least two of the following factors, which place the pupil at a significantly greater risk of becoming a chronic juvenile or adult offender:

(i) School behavior and performance: this factor shall include at least one of the following: attendance problems, behavior problems, poor grades, or disciplinary action.

(ii) Family problems: this factor shall include at least one of the following: poor parental supervision or control, domestic violence, trauma, recent financial problems, or marital or family discord.

(iii) Substance abuse: this factor shall include the abuse, other than experimentation, of alcohol or drugs by the pupil or the pupil’s parent or guardian.

(iv) Delinquent behavior: the factor shall include at least one of the following: a pattern of stealing, running away from home, or gang membership or association.

(2) “High school academy” means a school, not located within a correctional facility, that is established to service at-risk pupils.

(3) Pupils shall be referred to a high school academy by a panel composed of a school administrator, a probation officer, a law enforcement officer, and an



officer or employee of the department of social services of the city or county in which the high school academy is located. As part of the referral process there shall be an assessment and exclusion from participation for those pupils who have learning disabilities, are physically or mentally disabled, or are wards of the court pursuant to Section 300 of the Welfare and Institutions Code based on emotional, physical, or sexual abuse, unless appropriate services are provided to the pupil. No pupil shall be referred to a high school academy without the consent of the pupil and the pupil's parent or guardian to participate in the program. If either the pupil or the pupil's parent or guardian wishes to stop the pupil's participation in the program, the pupil shall be able to enroll in the school that he or she would have attended had he or she not enrolled in the high school academy.

46801. The county board of education may award diplomas or certificates to at-risk pupils in any high school academy, upon successful completion of a prescribed course of study.

46802. The county board of education may provide for maintenance on Saturday of classes for at-risk pupils at any high school academy.

46803. The sheriff or other official in charge of county correctional facilities may, subject to the approval of the board of supervisors, provide for the rehabilitation of at-risk pupils at any high school academy. This rehabilitation shall emphasize education, vocational training, and services that address the particular risk factors of pupils and their families.

46804. The board of supervisors may, by ordinance, direct the county superintendent of schools to establish and maintain classes or schools for at-risk pupils in any high school academy, established by the county. The county board of education shall have the same powers and duties with respect to these schools, including the establishment of the budget deemed necessary for the operation of the school programs, as the governing board of a school district would have were these schools maintained by a school district.



46805. The board of supervisors of the county shall transfer from the general fund of the county to the county school service fund of the county superintendent of schools sums, in excess of the amount of money received from the state by the county superintendent of schools, that the county board of education has deemed necessary to maintain the school programs in the high school academy.

46806. The average daily attendance for high school academy programs shall be computed in the manner set forth in Section 46200.

46807. This part shall become inoperative on July 1, 2000, and, as of January 1, 2001, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2000, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. Article 18.9 (commencing with Section 749.5) is added to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, to read:

Article 18.9. Juvenile Crime Reduction and Education  
Academy Pilot Project

749.5. There is hereby established the Juvenile Crime Reduction and Education Academy Pilot Project in the County of San Bernardino. The San Bernardino County Sheriff's Department, in conjunction with the agencies and organizations described in Section 749.51, may conduct, in accordance with this article, a pilot project, pursuant to Part 26.4 (commencing with Section 46800) of the Education Code, for the purpose of reducing juvenile crime and delinquency.

749.51. In developing and implementing the pilot project, the San Bernardino County Sheriff's Department shall seek the cooperation and involvement of all of the following county and local officers, agencies, and organizations:

- (a) The county superintendent of schools.
- (b) The chief probation officer.
- (c) The district attorney.



- (d) Local chiefs of police.
- (e) The juvenile court.
- (f) Representatives of local social service, health, and mental health agencies.
- (g) Representatives from local schools.
- (h) Interested community organizations.
- (i) Participating school districts.

749.52. Before implementing the pilot project, the San Bernardino County Sheriff's Department shall develop goals and performance measures to measure the effectiveness of the program. These measures shall include, but not be limited to, rates of recidivism, change in the number of first-time juvenile offenders being apprehended, and the number and percentage of juveniles who successfully complete the program or probation.

749.54. (a) The pilot project shall operate for one year from the date of the first day of instruction. The pilot project shall be evaluated through an independent assessment conducted by the Center for the Study of Correctional Education at California State University, San Bernardino, pursuant to a contract entered into between the San Bernardino County Sheriff's Department and the university. The pilot project shall be deemed successful if the following goals are equaled or exceeded:

(1) In the pilot program participant target group of juveniles who are at risk, attendance shall increase by 10 percent, behavioral problems shall decrease by 10 percent, and the expulsion rate shall decrease by 25 percent.

(2) In the pilot program participant population of first offenders, the recidivism rate shall be reduced by 20 percent.

(3) In both of the groups referenced in paragraphs (1) and (2), the number of pupils working at grade level shall increase by 25 percent in at least 50 percent of the core educational areas.



(b) The San Bernardino County Sheriff shall submit a report to the Legislature regarding the effectiveness of the pilot project on or before January 1, 2000.

(c) This article shall become inoperative on July 1, 2000, and, as of January 1, 2001, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2001, deletes or extends the dates on which it becomes inoperative and is repealed.





Approved \_\_\_\_\_, 1997

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*Governor*

